

Appl. No. 10/811,661
Amdt. dated 6/8/2009
Reply to Office action of 12/08/2009

Amendments to the Drawings:

New drawings for FIGS. 1 through 15 have been required and are enclosed herewith and have been professionally drafted as required without changes to the underlying reference numbers, but rather to make all numbers, lines, etc., of uniform thickness.

Attachment: Replacement Sheets for FIGS. 1-15.

REMARKS/ARGUMENTS

This amendment is submitted after Final Rejection to resolve all outstanding issues.

OBJECTIONS TO CLAIMS

Claims 1 through 3, 7 through 12, 16 through 22 and 24 through 32 have been cancelled without prejudice. These claims are cancelled solely to advance prosecution in view of the indication of allowable subject matter. Applicant expressly reserves its right to seek patent protection on the cancelled subject matter through a continuation or divisional application.

Claims 4 through 6 and 13 through 15 are objected to.

Claim 23 stands allowed.

AMENDMENT TO SPECIFICATION

The Specification was amended at page 19, line 15 to delete “distally” and insert therefore “proximally.” This corrects an obvious typographical error as is clear from the Specification with particular reference to the context in which the term occurs and with reference to FIG. 12.

Claims 4 and 13 have been amended to incorporate limitations of the claims from which they depend.

No new matter has been added.

DRAWINGS

New drawings for FIGS. 1 through 15 have been required and are enclosed herewith.

REJECTIONS UNDER 35 U.S.C. § 102

The Examiner rejected claims 1 through 3, 7, 8, 10 through 12, 16 through 18 and 22 as anticipated by U.S. 4,808,163 to Laub (Laub). Insofar as these claims have been cancelled, Applicant respectfully submits that this rejection is moot.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 19 and 21 under 35 U.S.C. 103(a) as being unpatentable over Laub in view of U.S 6,648,890 to Culbert *et al.* Insofar as claims 19 and 21 has been cancelled, Applicant respectfully submits that this rejection is moot.

ALLOWABLE SUBJECT MATTER

Claims 4 through 6 and 13 through 15 are objected to as dependent on rejected claims but would be allowable if rewritten in independent forms including all of the limitations of the base claim and any intervening claim.

As amended, this objection is met and claims 4 through 6 and 13 through 15 are now in condition for allowance. But for clarifying changes made to the preamble and to the claim body of the independent claim 1 for reasons unrelated to patentability, the claims remain unchanged from the form presented in the Office Action Response of September 17th, 2007. Applicant respectfully submits that these clarifying amendments are within the scope of the already examined claims and that further Examination is not required. Applicant has however included a Request for Continued Examination herewith should the Examiner deem that further review is required.

CONCLUSION

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested.

Respectfully submitted,
Dalina Law Group, P.C.

A handwritten signature in black ink, appearing to read "Joseph J. Mayo".

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